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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:20-mj-05894-DUTY-1**

Case title: USA v. Wright  
Other court case number: 3:20-cr-30033-MGM District of  
Massachusetts

Date Filed: 12/03/2020  
Date Terminated: 12/07/2020

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Assigned to: Duty Magistrate Judge

**Defendant (1)**

**Herbert Wright, III**  
REG 20286-509  
*TERMINATED: 12/07/2020*

represented by **Michael Gregory Freedman**  
Werksman Jackson and Quinn  
888 West 6th Street 4th Floor  
Los Angeles, CA 90017  
213-688-0460  
Fax: 213-624-1942  
Email:  
mfreedman@werksmanjackson.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Disposition**

**Disposition**

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**Plaintiff****USA**represented by **US Attorney's Office**

AUSA - Office of US Attorney  
Criminal Division - US Courthouse  
312 North Spring Street 12th Floor  
Los Angeles, CA 90012-4700  
213-894-2434

Email: USACAC.Criminal@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/03/2020	<a href="#"><u>1</u></a>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Herbert Wright, III, originating in the District of Massachusetts. Defendant charged in violation of: 18:1349. Signed by agent J. Bravo, US Marshal, Deputy. filed by Plaintiff USA. (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>2</u></a>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Herbert Wright, III; defendants Year of Birth: 1995; date of arrest: 12/3/2020 (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>3</u></a>	Defendant Herbert Wright, III arrested on warrant issued by the USDC District of Massachusetts at Springfield. (Attachments: # <a href="#"><u>1</u></a> Out-of-District Indictment)(cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>4</u></a>	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Rozella A. Oliver as to Defendant Herbert Wright, III Defendant arraigned and states true name is as charged. Attorney: Michael Gregory Freedman for Herbert Wright, III, Retained, present. Court orders bail set as: Herbert Wright III (1) \$75,000 Appearance Bond, (SEE BOND ATTACHED). Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to District of MA. Bond to Transfer. Defendant ordered to report on 12/7/2020 before Judge Robinson. RELEASE ORDER NO: 440597. Court Reporter: Marea Woolrich. (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>5</u></a>	DECLARATION RE: PASSPORT filed by Defendant Herbert Wright, III, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case. (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>6</u></a>	WAIVER OF RIGHTS approved by Magistrate Judge Rozella A. Oliver as to Defendant Herbert Wright, III. (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>7</u></a>	CONSENT to Video Conference/Telephonic Conference filed by Defendant Herbert Wright, III. (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#"><u>8</u></a>	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Herbert Wright, III. (cio) (Entered: 12/07/2020)

12/03/2020	<a href="#">9</a>	IN CHAMBERS MANDATORY RULE 5(f) ORDER by Magistrate Judge Rozella A. Oliver: as to Defendant Herbert Wright, III (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#">10</a>	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$75,000 by surety: Joseph Bowder for Filed by Defendant Herbert Wright, III (cio) (Entered: 12/07/2020)
12/03/2020	<a href="#">11</a>	<b>SEALED</b> UNREDACTED AFFIDAVIT OF SURETY (NO JUSTIFICATION) filed for Defendant Herbert Wright, III re: Affidavit of Surety (No Justification)(CR-4) <a href="#">10</a> (cio) (Entered: 12/07/2020)
12/07/2020		Notice to District of Massachusetts of a Rule 5 or Rule 32 Initial Appearance as to Defendant Herbert Wright, III. Your case number is: 3:20-cr-30033-MGM. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <a href="#">4</a> Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40),,. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (cio) (Entered: 12/07/2020)

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Herbert Wright, III

Defendant.

Western Division

Case Number: 2:20-MJ-05894-1

Initial App. Date: 12/03/2020

Initial App. Time: 1:00 PM

Out of District Affidavit  
Custody.

Date Filed: 12/03/2020

Violation: 18:1349

CourtSmart/ Reporter: Marea Woolrich

PROCEEDINGS HELD BEFORE UNITED STATES  
MAGISTRATE JUDGE: Rozella A. Oliver

CALENDAR/PROCEEDINGS SHEET  
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Luengo, Donnamarie

Deputy Clerk

Jenna Long  
Assistant U.S. Attorney

None

Interpreter/Language

☐ INITIAL APPEARANCE NOT HELD - CONTINUED

☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and

☒ preliminary hearing OR ☒ removal hearing / Rule 20.

☒ Defendant states true name ☒ is as charged ☐ is

☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.

☐ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.

☒ Attorney: Michael Freedman, Retained ☐ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)

☐ Special appearance by: \_\_\_\_\_

☐ Government's request for detention is: ☐ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED

☐ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).

☒ BAIL FIXED AT \$ 75,000.00 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)

☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED

☐ Preliminary Hearing waived.

☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties

☐ This case is assigned to Magistrate Judge \_\_\_\_\_ . Counsel are directed to contact the clerk for the setting of all further proceedings.

☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for

District Judge \_\_\_\_\_ for the setting of further proceedings.

☐ Preliminary Hearing set for \_\_\_\_\_ at 4:30 PM

☐ PIA set for: \_\_\_\_\_ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana

☐ Government's motion to dismiss case/defendant \_\_\_\_\_ only: ☐ GRANTED ☐ DENIED

☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED

☒ Defendant executed Waiver of Rights. ☒ Process received.

☒ Court ORDERS defendant Held to Answer to \_\_\_\_\_ District of MA

☒ Bond to transfer, if bail is posted. Defendant to report on or before 12/7/2020 BEFORE JUDGE ROBINSON

☐ Warrant of removal and final commitment to issue. Date issued: \_\_\_\_\_ By CRD: \_\_\_\_\_

☐ Warrant of removal and final commitment are ordered stayed until \_\_\_\_\_

☐ Case continued to (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ AM / PM

Type of Hearing: \_\_\_\_\_ Before Judge \_\_\_\_\_ /Duty Magistrate Judge.

Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom

☒ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.

☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.

☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.

☒ RELEASE ORDER NO: 40597

☐ Other: \_\_\_\_\_

☐ PSA ☐ USPO

☐ FINANCIAL

☐ READY

Deputy Clerk Initials JS

: 18





Case Name: United States of America v. Herbert Wright III

Case No. MJ 20-5894

☒ Defendant ☐ Material Witness

☒ Avoid all contact, directly or indirectly (including by any electronic means), with any person who is a known victim or witness in the subject investigation or prosecution, ☐ including but not limited to \_\_\_\_\_; ☒ except counsel \_\_\_\_\_.

☒ Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may contact the following codefendants without your counsel present: \_\_\_\_\_.

☐ Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☒ Do not use or possess any identification, mail matter, access device, or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency. ☒ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not engage in telemarketing.

☒ Do not sell, transfer, or give away any asset valued at \$ 50,000.00 or more without notifying and obtaining permission from the Court, except \_\_\_\_\_.

☐ Do not engage in tax preparation for others.

☐ Do not use alcohol.

☐ Participate in the electronic remote alcohol monitoring program as directed by Supervising Agency and abide by all the rules and requirements of the program. You must pay all or part of the costs for treatment based upon your ability to pay as determined by Supervising Agency.

☒ Do not use or possess illegal drugs or state-authorized marijuana. ☒ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☒ Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.

☒ Submit to: ☒ drug and/or ☐ alcohol testing. If directed to do so, participate in outpatient treatment approved by Supervising Agency. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Supervising Agency.

☐ Participate in residential ☐ drug and/or ☐ alcohol treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. ☐ Release to PSA only ☐ Release to USPO only

☐ Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.

☐ Participate in the Location Monitoring Program and abide by all of the requirements of the program, under the direction of Supervising Agency, which ☐ will or ☐ will not include a location monitoring bracelet. You must pay all or part of the costs of the program based upon your ability to pay as determined by Supervising Agency. You must be financially responsible for any lost or damaged equipment.

☐ Location monitoring only - no residential restrictions;

-or-

☐ You are restricted to your residence every day:

☐ from \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ ☐ a.m. ☐ p.m.

☐ as directed by Supervising Agency;

-or-

Defendant's Initials: HWDate: 12/31/20



Case Name: United States of America v. **Herbert Wright III**

Case No. MJ 20-5894

☒ Defendant ☐ Material Witness

☐ You are restricted to your residence at all times except for medical needs or treatment, attorney visits, court appearances, and \_\_\_\_\_, all of which must be preapproved by Supervising Agency;

☐ Release to PSA only ☐ Release to USPO only

☐ You are placed in the third-party custody (Form CR-31) of \_\_\_\_\_.

☐ Clear outstanding ☐ warrants or ☐ DMV and traffic violations and provide proof to Supervising Agency within \_\_\_\_\_ days of release from custody.

☐ Do not possess or have access to, in the home, the workplace, or any other location, any device that offers internet access except as approved by Supervising Agency. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not associate or have verbal, written, telephonic, electronic, or any other communication with any person who is less than the age of 18 except in the presence of a parent or legal guardian of the minor.

☐ Do not loiter or be found within 100 feet of any schoolyard, park, playground, arcade, or other place primarily used by children under the age of 18.

☐ Do not be employed by, affiliated with, own, control, or otherwise participate directly or indirectly in the operation of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.

☐ Do not view or possess child pornography or child erotica. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property, including computer hardware and software, by Supervising Agency in conjunction with the U.S. Marshal.

☒ Other conditions:

Do not open any new lines of credit as of today, 12/3/2020.

### GENERAL CONDITIONS OF RELEASE

I will appear in person in accordance with any and all directions and orders relating to my appearance in the above entitled matter as may be given or issued by the Court or any judicial officer thereof, in that Court or before any Magistrate Judge thereof, or in any other United States District Court to which I may be removed or to which the case may be transferred.

I will abide by any judgment entered in this matter by surrendering myself to serve any sentence imposed and will obey any order or direction in connection with such judgment as the Court may prescribe.

I will immediately inform my counsel of any change in my contact information, including my residence address and telephone number, so that I may be reached at all times.

I will not commit a federal, state, or local crime during the period of release.

I will not intimidate any witness, juror, or officer of the court or obstruct the criminal investigation in this case. Additionally, I will not tamper with, harass, or retaliate against any alleged witness, victim, or informant in this case. I understand that if I do so, I may be subject to further prosecution under the applicable statutes.

I will cooperate in the collection of a DNA sample under 42 U.S.C. § 14135a.

Defendant's Initials: HWDate: 12/3/20

Case Name: United States of America v. Herbert Wright IIICase No. MJ 20-5894☒ Defendant ☐ Material Witness**ACKNOWLEDGMENT OF DEFENDANT/MATERIAL WITNESS**

As a condition of my release on this bond, pursuant to Title 18 of the United States Code, I have read or have had interpreted to me and understand the general conditions of release, the preconditions, and the additional conditions of release and agree to comply with all conditions of release imposed on me and to be bound by the provisions of Local Criminal Rule 46-6.

Furthermore, it is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which will continue in full force and effect until such time as duly exonerated.

I understand that violation of any of the general and/or additional conditions of release of this bond may result in a revocation of release, an order of detention, and a new prosecution for an additional offense which could result in a term of imprisonment and/or fine.

I further understand that if I fail to obey and perform any of the general and/or additional conditions of release of this bond, this bond may be forfeited to the United States of America. If said forfeiture is not set aside, judgment may be summarily entered in this Court against me and each surety, jointly and severally, for the bond amount, together with interest and costs. Execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States, and any cash or real or personal property or the collateral previously posted in connection with this bond may be forfeited.

12/3/2020  
Date

Herbert Wright III  
Signature of Defendant / Material Witness

(312) 929-6240  
Telephone Number

Los Angeles, CA  
City and State (DO NOT INCLUDE ZIP CODE)

☐ Check if interpreter is used: I have interpreted into the \_\_\_\_\_ language this entire form and have been told by the defendant that he or she understands all of it.

\_\_\_\_\_  
Interpreter's Signature

\_\_\_\_\_  
Date

Approved: \_\_\_\_\_  
United States District Judge / Magistrate Judge

\_\_\_\_\_  
Date

If cash deposited: Receipt # \_\_\_\_\_ for \$ \_\_\_\_\_

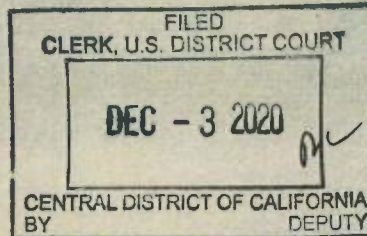
(This bond may require surety agreements and affidavits pursuant to Local Criminal Rule 46.)

Defendant's Initials: HW

Date: 12/3/20



Date Approved: 12-03-2020 Extension: 8692  
 By: Jenna W. Long  
☐ PSA Officer (for material witness only) ☒ AUSA  
 Signature: [Signature]



UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

PLAINTIFF,

CASE NUMBER

20-MJ-05894

v.

Herbert Wright

AFFIDAVIT OF SURETY (NO JUSTIFICATION)

DEFENDANT(S).

I, the undersigned surety, state on oath that I permanently reside within the jurisdiction of the United States District Court for the Central District of California at the address indicated below or in (City, State):

I further state that I understand the provisions of the bond executed by the above-named defendant for which this affidavit supports, and I agree to be bound as a condition of this bond by the provisions of Local Criminal Rule 46-6 as set forth at the bottom of this document and further acknowledge and agree that I and my personal representatives are bound as a condition of this bond, jointly and severally with the defendant and other sureties, to pay to the United States of America the sum of \$ 75,000 in the event that the bond is forfeited.  
 (seventy-five thousand dollars)

I further understand that it is my obligation to inform the Court and counsel of any change in residence address or employment of the defendant immediately upon becoming aware of such fact.

I further agree and understand that, unless otherwise ordered by the Court, the bond for which this affidavit supports is a continuing bond (including any proceeding on appeal or review) which shall continue in full force and effect until such time as the undersigned is duly exonerated by Order of the Court.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on this 3rd day of December, 2020.

Joseph Bruden  
 Name of Surety

XXX-XX-9157  
 Social Security Number of Surety (Last 4 digits only)

[Signature]  
 Signature of Surety

[Redacted]  
 Address of Surety

Partner  
 Relationship of Surety

[Redacted]  
 City, State, Zip Code

Local Criminal Rule 46-6

Bond - Summary Adjudication of Obligation

A bond or undertaking presented for filing shall contain consent of the principal and surety that, in case of default or contumacy on the part of the principal or surety, the Court, upon ten (10) days notice, may render a judgment summarily in accordance with the obligation undertaken and issue a writ of execution upon such judgment. An indemnitee or party in interest seeking a judgment on a bond or undertaking shall proceed by Motion for Summary Adjudication of Obligation and Execution. Service may be made on a corporate surety as provided in 31 U.S.C. § 9306.



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

PLAINTIFF

v.

Herbert Wright

DEFENDANT.

CASE NUMBER:

20-mj-05894

**WAIVER OF RIGHTS  
(OUT OF DISTRICT CASES)**

I understand that charges are pending in the \_\_\_\_\_ District of Massachusetts alleging violation of Conspiracy to Commit Wire Fraud and that I have been arrested in this district and taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to: 18 USC 1349, 1343, 1028A

- (1) have an identity hearing to determine whether I am the person named in the charges;  
(2) arrival of process;

-Check one only-

☒ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and  
(4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

**I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:**

- ☒ have an identity hearing  
☒ arrival of process  
☒ have a preliminary hearing  
☒ have an identity hearing, and I have been informed that I have no right to a preliminary hearing  
☒ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

/s/ Herbert Wright as authorized to def. Counsel  
Defendant

Michael G. Franchman  
Defense Counsel

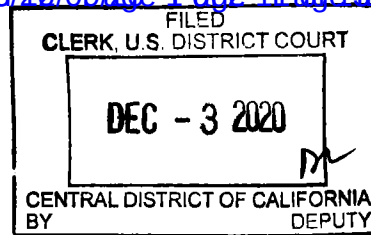
Ryelle A. De  
United States Magistrate Judge

Date: 12/3/20

I have translated this Waiver to the defendant in the \_\_\_\_\_ language.

Date: \_\_\_\_\_

Interpreter(if required)



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

United States of America,

Plaintiff,

v.

*Herbert Wright*

Defendant.

CASE NUMBER:

*20-MJ-05894*

**ADVISEMENT OF  
DEFENDANT'S STATUTORY &  
CONSTITUTIONAL RIGHTS**

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

**IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT**

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

**IF YOU ARE CHARGED WITH A VIOLATION OF  
YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION**

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CRIMINAL MINUTES – GENERAL**

Case No. MJ 20-5894 Date: 12/3/2020

Present: The Honorable Rozella A. Oliver, United States Magistrate Judge

Interpreter: N/A

<u>Donnamarie Luengo</u>	<u>N/A</u>	<u>N/A</u>
Deputy Clerk	Court Reporter / Recorder	Assistant U.S. Attorney

<u>U.S.A. v. Defendant(s)</u>	<u>Present</u>	<u>Cust</u>	<u>Bond</u>	<u>Attorney(s) for Defendant(s):</u>	<u>Present</u>	<u>App</u>	<u>Ret</u>
<u>HERBERT WRIGHT, III</u>				<u>N/A</u>			

**Proceedings: (IN CHAMBERS) MANDATORY RULE 5(f) ORDER**

In accordance with the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the United States is ordered to produce all exculpatory evidence to the defendant under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny. Failing to do so in a timely manner may result in exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions.

**IF YOU ARE CHARGED IN ANOTHER DISTRICT**

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

**IF YOU ARE APPEARING FOR ARRAIGNMENT**

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

**ACKNOWLEDGMENT OF DEFENDANT:**

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 12/3/2020

(s/ Robert Wright) <sup>by counsel</sup> w/ authorization  
Signature of Defendant McRoshan

[or]

I have personally heard a translation in the \_\_\_\_\_ language read to me and understand the above Advisement of Rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

**STATEMENT OF THE INTERPRETER:**

I have translated this Advisement of Rights to the Defendant in the \_\_\_\_\_ language.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Interpreter

\_\_\_\_\_  
Print Name of Interpreter

**STATEMENT OF COUNSEL:**

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 12/3/2020

Michael G. Freedman  
Signature of Attorney